IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

Bail Appl..No. 1832 of 2007()

CRIME NO.1131/2004 OF KASARGOD POLICE STATION

PETITONER/ACCUSE

PURUSHOTHAMAN @ DWARAKA PURUSHU,
S/O APPU VYDYAR, AGED 36 YEARS,
ANABAGILU, KARABU VILLAGE, KASARAGOD DISTRICT.

BY ADV. SRI.M.SASINDRAN
SRI.K.P.HARISH

RESPONDENTS: COMPLAINANT & STATE:

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1. STATE- REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

2. THE STATION HOUSE OFFICER,
(CRME NO.1131 OF 2004 OF KASARAGOD POLICE STATION)
KASARAGOD DISTRICT.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/03/2007, ALONG WITH BA NO. 1840 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application Nos. 1832/2007 & 1840/2007

Dated this 30th day of March, 2007

O R D E R

The common petitioner in these two applications for regular bail is the accused in Crime No.1131/2004 of Kasargod Police Station for an offence punishable under Section 55(a) of the Abkari Act for allegedly having been found in possession of 800 packets, each of 100 ml of Karnataka arrack, on 12.11.2004 and the third accused in Crime No.219/2003 of Badiadka Police Station for an offence punishable under Section 8(2) of the Abkari Act for allegedly having been found in possession of 5000 packets, each of 100 ml of karnataka arrack, on 21.8.2003. He was arrested on 22.1.2007 in yet another crime namely Crime No.149/2004 of Kasargod Police Station. His arrest in these two crimes were formally recorded on 14.2.2007.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in three other crimes of similar nature.

3. I am not satisfied that both the grounds enumerated

under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

These two applications are accordingly dismissed.

V.RAMKUMAR,
JUDGE

mrcs